

AMENDED IN SENATE MAY 10, 2007

AMENDED IN SENATE MARCH 19, 2007

SENATE BILL

No. 230

Introduced by Senator Yee
(Coauthor: Assembly Member Ma)

February 14, 2007

An act to amend Section 20071 of, and to add Section 20070.5 to, the Health and Safety Code, relating to police protection districts.

LEGISLATIVE COUNSEL'S DIGEST

SB 230, as amended, Yee. Police protection districts.

Existing

(1) *Existing* law provided, until October 1, 1959, for the formation and administration of police protection districts in unincorporated towns. Existing law provides for the continuation of police protection districts formed prior to that date.

This bill would provide that a police protection district's police department, its chief of police, and its employees shall have all the rights, duties, privileges, immunities, obligations, and powers of a municipal police department. By imposing new duties upon a local district, this bill would create a state-mandated local program. The bill would also authorize the district board to delegate to the chief of police the authority to appoint and dismiss district employees. *The bill would express the intent of the Legislature that this bill shall not affect the Broadmoor Police Protection District's current reimbursements for any state-mandated local programs.*

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 20070.5 is added to the Health and Safety
2 Code, to read:

3 20070.5. (a) A district's police department, police chief, and
4 employees shall have all of the rights, duties, privileges,
5 immunities, obligations, and powers of a municipal police
6 department.

7 (b) *It is the intent of the Legislature that the act adding this*
8 *section shall not affect the Broadmoor Police Protection District's*
9 *current reimbursements for any state-mandated local programs.*

10 SEC. 2. Section 20071 of the Health and Safety Code is
11 amended to read:

12 20071. (a) The district board shall determine the number of
13 employees, if any, necessary for the proper care and protection of
14 the life and property of residents in the district.

15 (b) Except as provided in subdivision (c), the district board shall
16 appoint all district employees and prescribe their duties and
17 compensation. All of these employees shall hold their positions at
18 the pleasure of the district board.

19 (c) Notwithstanding subdivision (b), the district board may
20 delegate to the chief of police the authority to appoint and dismiss
21 district employees.

22 ~~SEC. 3. If the Commission on State Mandates determines that~~
23 ~~this act contains costs mandated by the state, reimbursement to~~
24 ~~local agencies and school districts for those costs shall be made~~

1 pursuant to Part 7 (commencing with Section 17500) of Division
2 4 of Title 2 of the Government Code.

3 *SEC. 3. No reimbursement is required by this act pursuant to*
4 *Section 6 of Article XIII B of the California Constitution because*
5 *the only costs that may be incurred by a local agency or school*
6 *district are the result of a program for which legislative authority*
7 *was requested by that local agency or school district, within the*
8 *meaning of Section 17556 of the Government Code and Section 6*
9 *of Article XIII B of the California Constitution.*